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OF THE UNITED STATES
1934

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Washington, Friday, March 4, 1938

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 49436]

CUSTOMS REGULATIONS AMENDED—EXPORT DECLARATIONS

CUSTOMS REGULATIONS OF 1937, RELATING TO BOND TO PRODUCE SHIPPER'S EXPORT DECLARATION FOR GOODS EXPORTED TO CANADA OR MEXICO BY CAR, VEHICLE, OR FERRY, AMENDED TO PROVIDE FOR THE PRODUCTION OF THE MISSING DECLARATIONS WITHIN 15 DAYS

FEBRUARY 26, 1938.

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in section 251 of the Revised Statutes and section 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 66 and 1624), article 1254 (a) (4) of the Customs Regulations of 1937¹ is hereby amended by deleting the numeral "6" appearing in the fifth line and by substituting therefor the numeral "15," and by adding at the end of the sentence the following: "(See art. 1308 (b).)"

JAMES H. MOYLE,
Commissioner of Customs.

Approved: February 26, 1938.

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 38-654; Filed, March 3, 1938; 10:26 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[NCR-B-101, as Amended; Supp. No. 7]

1937 AGRICULTURAL CONSERVATION PROGRAM

NORTH CENTRAL REGION BULLETIN 101, AS AMENDED, SUPPLEMENT NO. 7.

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, North Central Region Bulletin 101,² as Amended, is further amended as follows:

1. Part IV, Section 2 (j) is amended to read as follows:

(j) If a person is an owner, operator, or sharecropper with respect to a cotton or sharecropper farm, such person's percentage of any deduction computed with respect to such farm shall be the percentage that the sum of all payments computed for such person with respect to such farm is of the sum of all payments computed for such farm. If there is no payment computed with respect to a cotton farm, and there is a deduction computed with respect to such farm, any person's percentage of such deduction shall be the percentage

computed for such person, as set forth in Section 2 (e) of this Part IV, with respect to the principal soil-depleting crop on such farm. If there is no payment computed with respect to a sharecropper farm, and there is a deduction computed with respect to such farm, any person's percentage of such deductions shall be the percentage computed for such person as set forth in Section 2 (g) of this Part IV with respect to the principal soil-depleting crop on such farm.

2. Part VI, Section 1, the definition of range land, is amended to read as follows:

Range land means any land containing 640 acres or more operated by a person in Nebraska or South Dakota other than that owned or controlled by the United States Government, or any agency thereof, which produces forage without cultivation or general irrigation, 10 acres or more of which are required to sustain one animal unit for a period of 12 months.

Done at Washington, D. C., this 3rd day of March 1938.
Witness my hand and the seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 38-659; Filed, March 3, 1938; 11:55 a. m.]

Farm Security Administration.

DESIGNATION OF COUNTIES

COLORADO

MARCH 3, 1938.

Pursuant to the provisions of Title I of the Bankhead-Jones Farm Tenant Act, and Section II 3 of Administration Order 230 of the Farm Security Administration, issued thereunder, and upon the basis of the recommendations of the Colorado State Farm Security Advisory Committee, the following counties are hereby designated as those in which loans, pursuant to said Title, shall be made for the fiscal year ending June 30, 1938:

Logan, Mesa.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 38-658; Filed, March 3, 1938; 11:55 a. m.]

DESIGNATION OF COUNTIES

WYOMING

MARCH 3, 1938.

Pursuant to the provisions of Title I of the Bankhead-Jones Farm Tenant Act, and Section II 3 of Administration Order 230 of the Farm Security Administration, issued thereunder, and upon the basis of the recommendations of the Wyoming State Farm Security Advisory Committee, the following

¹ 2 F. R. 2015 (DI).

² 2 F. R. 291 (DI).

FEDERAL REGISTER

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1934

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county is hereby designated as that in which loans, pursuant to said Title, shall be made for the fiscal year ending June 30, 1938:

Goshen.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 38-657; Filed, March 3, 1938; 11:55 a. m.]

INTERSTATE COMMERCE COMMISSION.

STATISTICAL DATA RELATING TO ELECTRIC RAILWAYS

MARCH 3, 1938.

To Electric Railways:

In accordance with an order of the Interstate Commerce Commission, Division 4, adopted on February 21, 1938, a copy of which appears below, each electric railway company is re-

quired to furnish information provided for on the attached form designated Statistical Series Circular No. 25.

This circular should be filed with the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31, 1938.

ORDER

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 21st day of February 1938.

The subject of additional statistical data relating to electric railways being under consideration.

It is ordered, That each electric railway company shall furnish the information provided for on Statistical Series Circular No. 25,¹ which is hereby approved and made a part of this order.

It is further ordered, That the returns shall be filed in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C. on or before March 31, 1938.

By the Commission, Division 4.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 38-660; Filed, March 3, 1938; 12:32 p. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 198]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 18, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

| Project Designation: | Amount |
|--------------------------------------|-----------|
| Florida 8014A1 Clay..... | \$163,000 |
| Florida 8014G1 Clay..... | 42,000 |
| Florida 8016A1 Sumter..... | 166,000 |
| Florida 8016G1 Sumter..... | 34,000 |
| North Carolina 8016B1 Edgecombe..... | 111,000 |
| Ohio 8032A1 Belmont..... | 128,500 |
| Ohio 8039A2 Paulding..... | 125,000 |
| Ohio 8041A2 Licking..... | 135,000 |
| Oklahoma 8016A1 Pontotoc..... | 135,000 |
| Utah 8007A1 Wayne..... | 5,000 |

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38-649; Filed, March 3, 1938; 9:41 a. m.]

[Administrative Order No. 199]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 21, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

| Project Designation: | Amount |
|---------------------------|---------|
| Georgia 8020A3 Troup..... | \$2,500 |

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38-650; Filed, March 3, 1938; 9:41 a. m.]

[Administrative Order No. 200]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 21, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby

¹ Filed as a part of original document with the Division of the Federal Register, The National Archives; requests for copies should be addressed to the Interstate Commerce Commission.

allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

| Projection Designation: | Amount |
|--------------------------------|----------|
| Colorado 8014W1 Alamosa..... | \$10,000 |
| Kansas 8021W1 Shawnee..... | 25,000 |
| Kentucky 8020W1 McCracken..... | 10,000 |
| Kentucky 8027W1 Boyle..... | 10,000 |
| Kentucky 8038W1 Fulton..... | 10,000 |
| Minnesota 8018W2 Douglas..... | 2,382 |

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-651; Filed, March 3, 1938; 9:41 a. m.]

[Administrative Order No. 201]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 24, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

| Project Designation: | Amount |
|---------------------------------|-----------|
| Illinois 8029A1 Shelby..... | \$178,130 |
| Texas 8064A1 San Augustine..... | 124,000 |
| Wisconsin 8047A1 Jackson..... | 160,000 |

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-652; Filed, March 3, 1938; 9:41 a. m.]

[Administrative Order No. 202]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 26, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

| Project Designation: | Amount |
|--------------------------------|---------|
| Tennessee 8017A2 Hardeman..... | \$2,800 |

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-653; Filed, March 3, 1938; 9:41 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

ADOPTION OF RULE 11F-2

Acting pursuant to the authority granted by the Public Utility Holding Company Act of 1935, and particularly Sections 11 (f) and 20 (a) thereof, and finding such action necessary and appropriate in the public interest and for the protection of investors and consumers, and to carry out the purposes of said Act, the Securities and Exchange Commission hereby adopts Rule 11F-2 to read as follows:

RULE 11F-2. Commission approval of fees in connection with reorganization proceedings.—(a) All fees, expenses, and remuneration, whether interim or final, to whomsoever paid for services rendered in connection with any proceeding in a reorganization, dissolution, liquidation, bankruptcy, or receivership of a registered holding company or a subsidiary company thereof in a court of the United States, shall be subject to approval by the Commission as to the maximum amount that may reasonably be paid for the services rendered by such person, taking into account the size of the estate, the difficulties involved in the proceeding, and the benefit resulting from such services. Such approval shall be granted only by order of the Commission on application filed

by or on behalf of each person who is requesting or who is seeking to receive any payment of such fees, expenses or remuneration.

(b) Each such application shall comply with the provisions of Rule 2 as to number of copies, form, and execution and shall contain a detailed statement of the facts relied upon by applicant as the basis for such payment, including a statement as to:

- (1) Every interest of the applicant in such reorganization proceeding;
- (2) The nature and extent of the activities of the applicant for which payment is sought;
- (3) The benefit resulting from such activities;
- (4) Any interim or other payments received by the applicant out of the estate prior to the filing of such application in respect of all or part of the activities covered by such application and the extent to which such payments have been allowed by order of any court or state or federal regulatory agency or commission; and
- (5) Any payments, not paid or to be paid out of the estate, which have been received or are expected to be received or requested by the applicant in connection with, or preliminary to, the activities covered by such application.

(c) As soon as practicable after receipt of any such application the Commission shall give notice and opportunity for hearing upon such application.

(d) Paragraph (a) of this rule shall not apply to the payment of any fees, expenses, or remuneration if any of the following conditions are satisfied:

- (1) Such payment has been authorized by the court and the services have been rendered prior to the effective date of this rule; or
- (2) Such payment is made in connection with a proceeding in which a plan of reorganization, dissolution or liquidation has been approved by the court prior to the effective date of this rule; or
- (3) Such payment is to a special master or referee; or
- (4) The total amount claimed for fees, expenses, and remuneration by or on behalf of any one person or group of associated persons is not in excess of \$5,000 (or such larger amount as the Commission may fix with respect to any proceeding): *Provided, however*, That the exception contained in this clause (4) shall not apply to any claim for interim payment.

(e) This rule shall become effective March 15, 1938.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 38-656; Filed, March 3, 1938; 11:38 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C. on the 28th day of February, A. D. 1938.

[File No. 32-79]

IN THE MATTER OF CUMBERLAND COUNTY POWER AND LIGHT COMPANY

ORDER EXEMPTING SECURITIES AUTHORIZED BY STATE COMMISSION

Cumberland County Power and Light Company, a subsidiary company of New England Public Service Company, a registered holding company, having filed application pursuant to the provisions of section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of said Act of the issue and sale by applicant of 10,000 shares of its Preferred Capital Stock, 5½% Cumulative, of the par value of \$100 per share;

A hearing having been held upon said application, as amended, after appropriate notice;¹ the record in this matter having been examined, and the Commission having made and filed its findings herein;

It is ordered. That the issue and sale of said securities, in accordance with the terms and for the purposes represented by said application, be and the same hereby are exempted from the provisions of section 6 (a) of said Act, subject, however, to the following conditions:

(1) The applicant shall pay no dividends upon its common stock except out of surplus earned subsequent to December 31, 1937, unless and until it shall have restored its balance of uncapitalized expenditures to the amount of at least \$2,650,000;

(2) That applicant shall pay no dividends on its common stock unless (a) it preserves intact and at not less than their present figures the two reserve accounts entitled "Reserve in connection with lease of Portland Railroad Company" and "Reserve for Contingencies", (b) makes annual accruals thereto at the rate of not less than \$156,000 per annum, and expends funds equivalent to such annual amount for additions to property or for the purchase of

mortgage indebtedness of Portland Railroad Company, and (c) maintains an amount equivalent to such reserves, as increased from time to time by such accruals, in uncapitalized expenditures which may be made the basis for the issuance of securities under the laws of the State of Maine, or in additional purchases of mortgage indebtedness of Portland Railroad Company, or both;

(3) That the conditions set forth in the last two preceding paragraphs shall remain in effect until applicant shall show cause to the contrary, upon application filed herein;

(4) That if the authorization of said securities by the Maine Public Utilities Commission shall be revoked or shall otherwise terminate, the exemption hereby granted shall cease and determine without further action by this Commission.

It is further ordered. That within ten days after the issue or sale of said securities applicant shall file with this Commission a certificate of notification showing that said issue or sale has been effected in accordance with the terms and for the purposes represented by said application, as amended.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

¹ 3 F. R. 292 (DI).